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Paper No. 9

CHRIS BRUNT/GARY FISHER
2240 Federal Avenue
Los Angeles, CA 90064

FEB 11 2003

In re Application of)
Chris S. Brunt et al.)
Application No. 09/650,878)
Filed: August 30, 2000)
For: FOUNTAIN CONTROL FOR)
GENERATING DYNAMICALLY)
FLOW PATTERNS)

DECISION ON PETITION

This is a decision on the petition, filed February 4, 2003, via facsimile transmission, to withdraw the holding of abandonment of the above-identified application.

The petition is GRANTED.

This application was held abandoned for failure to pay \$42 in a timely manner in response to the Notice of Fee Deficiency mailed August 1, 2002. A Notice of Abandonment was mailed on January 30, 2003.

Petitioner states that a response to the Notice was in fact timely filed. To support this assertion, petitioner has submitted a copy of a return postcard which acknowledges receipt of a transmittal letter along with a check of \$42 by the Patent and Trademark Office (PTO) on August 12, 2002. A copy of the canceled check indicating that the USPTO has collected the \$42 fee was also submitted.

The fee record reveals that the fee of \$42 filed August 12, 2002 was collected on August 13, 2002, but the transmittal letter was not matched with the application file. The application is not abandoned in fact.

For above stated reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Inconvenience to petitioner is regretted.

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On Petition

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The application file is being forwarded to the technical support staff for entry of the amendment.
From there, it will be returned to the examiner for further prosecution.

A handwritten signature in black ink, appearing to read "Hien H. Phan", written over a horizontal line.

Hien H. Phan, Special Program Examiner
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